MYSORE ACT No. XI OF 1911.

THE PREVENTION OF JUVENILE SMOKING ACT, 1911.

(Received the assent of His Highness the Maharaja on the 9th day of October 1911.)

An Act to provide for the Prevention of Smoking by Juveniles.

WHEREAS it is expedient to provide for the prevention of smoking by youthful persons in [1][the State of Mysore except Bellary District]; His Highness the Maharaja is pleased to enact as follows :— Preamble.

1. (1) This Act shall be called "The Prevention of Juvenile Smoking Act, 1911." Short title.

(2) It shall extend to the [1][whole of the State of Mysore except Bellary District] ; and Extent and commencement.

(3) It shall come into force in such areas and from such date as may be notified by the Government in the official Gazette in this behalf.

2. In this Act unless there is something repugnant in the subject or context— Interpretation.

"Police Officer" shall mean a member of the Regular Police Force appointed under the Mysore Police Act, 1908, as well as a member of the Village Police Force appointed under the Rules for the organisation and regulation of the Village Police for the time being in force. "Police Officer."

"Tobacco" shall mean tobacco cut or uncut and includes any preparation or mixture of tobacco with other substances for the purpose of smoking or chewing or taking in as snuff. "Tobacco."

3. If any person sells to a person actually and by appearance under the age of sixteen years, except on the written order of the parent, guardian or employer of such last-named person, any tobacco, he shall be liable, on conviction before a Magistrate, in the case of a first conviction, to a fine not exceeding twenty rupees, and in the case of a second conviction to a fine not exceeding fifty rupees, Penalty on selling tobacco to youthful persons.

1. See the Mysore Adaptation of Laws Order, 1958.

and in the case of a third and every subsequent conviction, to a fine not exceeding one hundred rupees.

Seizure of tobacco.

4. It shall be the duty of a Police Officer to seize any tobacco in the possession of any person apparently under the age of sixteen whom he finds smoking, or chewing or taking in as snuff, tobacco in any street or public place.

Tobacco seized how dealt with.

5. The articles seized under the last preceding section together with the person from whom they were seized shall be forthwith taken to the nearest Police Station, and the Officer in charge of such Police Station shall take down the name and address of the person's parent or guardian and ascertain if he is a pupil of any public school and at once set him free.

Notice to be given after seizure.

6. The Officer in charge of the said Police Station shall then send a notice of such seizure to the parent or guardian and to the Head Master of the school.

Person found with tobacco how dealt with.

7. If a person who has once been set free under section 5 is again apprehended after a lapse of three months from the date of issue of any notice under the last preceding section, he may be sent in custody before the nearest Magistrate as soon as possible, unless an undertaking in writing is given by the parent or guardian or some other respectable person to produce him whenever required, in which case, he shall be forthwith released.

Punishment.

8. When a person under sixteen years of age is produced before a Magistrate under the last preceding section, such Magistrate may either discharge him with a warning or inflict on him a fine not exceeding one rupee or order him to receive six stripes in the way of school discipline.[1] Provided that no imprisonment shall be awarded in default of payment of fine.

Whipping.

9. Any sentence of whipping[1] passed under this Act shall be administered privately in the presence of the Magistrate.

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1. *Vide* Section 2, Mysore Act XIII of 1949.